

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DENNIS SPEERLY, JOSEPH SIERCHIO, DARRIN
DEGRAND, DANIEL DRAIN, WEVERS SMITH,
RICHARD FREEMAN, CHRISTOPHER GILES,
LOUIS RAY, RICHARD SULLIVAN, DANIEL
BAPTIST, DENNIS SPEERLY, JOHN IASIELLO,
BENJY TOMPKINS, JAMES NORVELL, MICHAEL
BANKS, GUY CLARK, MARIA BARALLARDOS,
CARY SHERROW, JASON KEVIN SINCLAIR,
KIMBERLY COULSON, TROY COULSON, ANDRE
MCQUADE, DONALD DYKSHORN, TAIT THOMAS,
JAMES PAUL BROWNE, WILLIAM FREDO,
DONALD SICURA, JON ELLARD, RHIANNA
MEYERS, RANDALL JACOBS, MICHAEL PONDER,
PHILIP WEEKS, KARINA FREDO, JIMMY FLOWERS,
STEVEN BRACK, KEVIN WESLEY, BRIAN LLOYD,
GREGORY BUTSCHA, JERRY CARROLL, KIMBERLY
CARROLL, DOMINIC EATHERTON, THOMAS
EDMONDSON, RICHARD FILIAGGI, ROBERT
HIGGINS, and DAVID THOMPSON,

Case Number 19-11044
Honorable David M. Lawson

Plaintiffs,

v.

GENERAL MOTORS, LLC,

Defendant.

ORDER GRANTING JOINT MOTION TO STAY DEADLINES

On March 20, 2023, the Court issued an opinion certifying 26 state-by-state classes in this auto defect litigation and setting a deadline of April 20, 2023 for the parties to submit a joint proposal for providing notice to absent class members. The matter now is before the Court on the parties' joint motion to stay all deadlines relating to the conveyance of class notice pending the resolution of the defendant's presently pending petition to the Sixth Circuit Court of Appeals under Federal Rule of Civil Procedure 26(f) for leave to immediately appeal the class certification ruling.

The filing of such a petition does not automatically stay class proceedings in the district court, but the district court may grant a stay in its discretion to avoid potential complications if the court of appeals entertains an interlocutory appeal. *See Powell v. Tosh*, 2012 WL 1202289, at *1 (W.D. Ky. Apr. 10, 2012) (citing Manual for Complex Litigation § 21.28 (4th ed. 2008)); *Beattie v. CenturyTel, Inc.*, 2006 WL 1722207, at *3 (E.D. Mich. June 20, 2006). The Court finds that it is prudent under the circumstances to allow a pause in the parties' efforts to provide class notice at least until the court of appeals decides whether to grant the defendant's petition.

Accordingly, it is **ORDERED** that the joint motion to stay (ECF No. 287) is **GRANTED**, and the deadline for submitting the class notice proposal and all other deadlines relating to the conveyance of class notice are **SUSPENDED** until further order of the Court. The parties shall inform the Court promptly upon the issuance of a ruling by the court of appeals on the Rule 26(f) petition. All other provisions of the Court's previously issued pretrial scheduling orders, other than those related to the conveyance of class notice, remain in full force and effect.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: April 20, 2023